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DEC 20 2005

OFFICE OF PETITIONS

In re Application of

J. T. Lin

Application No. 10/621,105

Filed: July 10, 2003

Attorney Docket No. SRGLT.005RA

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DECISION ACCORDING STATUS

: UNDER 37 CFR 1.47(b)

This decision is in response to the petition filed December 1, 2005 under 37 CFR 1.47(b).

The petition is **GRANTED**.

The above-identified reissue application was filed on July 10, 2003. The application names J. T. Lin as the sole inventor. A Notice to File Missing Parts was mailed May 10, 2005 requiring amongst other things, a signed oath or declaration.

In response to the Notice to File Missing Parts, with a petition under 37 CFR 1.47(b) and a five month extension of time request, the applicant shows that a copy of the application and reissue declaration were sent to the non-signing inventor and that to date, applicants have not received an executed copy of the reissue declaration back from Mr. Lin. This petition is filed alleging that sole inventor J. T. Lin refuses to sign the reissue oath /declaration and seeks status under 37 CFR 1.47(b).

A grantable petition under 37 CFR 1.47(b) requires:

(1) proof that the non-signing inventor cannot be reached or refuses to sign the oath or declaration after having been presented with the application papers (specification, claims and drawings);

(2) an acceptable oath or declaration in compliance with 35 U.S.C. §§ 115 and 116;

(3) the petition fee;

(4) a statement of the last known address of the non-signing inventor;

(5) proof of proprietary interest, and

(6) proof of irreparable damage.

The petition is accompanied by proof that the application materials have been sent to Mr. Lin and received, the petition fee, the last known address for Mr. Lin, a reissue

declaration pursuant to 37 CFR 1.175, executed by Colette Cozean, CEO of the assignee, in the absence of a signature by the sole inventor, a copy of the assignment previously executed by the sole inventor to show proprietary interest and a statement that the application is filed to preserve the applicants rights in the application. Finally, petitioner has submitted a 37 CFR 3.73(b) statement and a reissue application consent of assignee pursuant to 37 CFR 1.1.72.

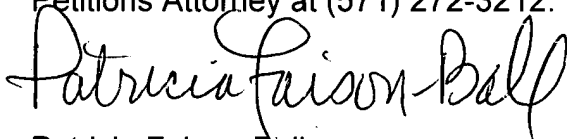
The above-identified application and papers have been reviewed and found in compliance with 37 CFR 1.47(b). In view thereof, this application is hereby accorded Rule 1.47(b) status.

Please be advised that the fee for a five month extension of time is \$1080.00 not \$1010.00 as was included with the petition and thus, petitioner's deposit account no. 11-1410 has been charged in the amount of \$70.00 to make up the difference.

Thus, as provided in Rule 1.47c, this Office will forward notice of this application's filing to the non-signing inventor at the address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

This matter is being referred to the Office of Initial Patent Examination for further pre-examination processing.

Telephone inquiries concerning this matter may be directed to the undersigned Petitions Attorney at (571) 272-3212.

A handwritten signature in black ink, reading "Patricia Faison-Ball". The signature is written in a cursive, flowing style.

Patricia Faison-Ball
Senior Petitions Attorney
Office of Petitions